

24 SEP 1999



22 September 1999

Howard Stone  
Chief Executive  
Wellington Regional Council  
PO Box 110646  
WELLINGTON

Dear Howard

### Local Government Act: Reappointment of Chief Executives

Thank you for your letter of 15 September seeking clarification of the Solicitor General's opinion on the legality of council decision making.

As we discussed the Presidential team agreed with you that this could be a major issue but felt that it can only be resolved by legislative means.

We will keep you briefed on how our attempts to get the law changed are going.

Yours sincerely

Mike Reid  
Strategy Leader  
Governance  
*Local Government New Zealand*



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Local leadership, national voice...



30 SEP 1999

**OFFICE OF THE  
CONTROLLER AND AUDITOR-GENERAL**  
*Te Mana Arotake*

29 September 1999

Our Ref: LG03-00

Mr Howard Stone  
General Manager  
Wellington Regional Council  
PO Box 11-646  
WELLINGTON

Dear Howard

**LOCAL GOVERNMENT ACT: REAPPOINTMENT OF CHIEF EXECUTIVES**

While it is appropriate that you take your own legal advice, it is our view that the only contract which might be "illegal" is your employment contract. The contracts entered into by you or those to whom you have delegated are not affected.

As any decision to change the legislation would be a policy one, it would be inappropriate for the Auditor-General to have a view. However, it is appropriate for this Office to point out some of the implications of the current legal position. We have done this both formally and informally. In fact, it was as a result of our concerns as to the implications of the recent interpretation that we went to such lengths to research the issue prior to writing formally to councils.

Yours sincerely

Kevin Brady  
Assistant Auditor-General

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